

FILED
Clerk
District Court

DEC 21 2007

IN THE
UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS

For The Northern Mariana Islands
By _____
(Deputy Clerk)

JOHN S. PANGELINAN
Plaintiff,

Civil Action No. 07-0029
Criminal Action No. 06-00012

v.

NOTICE OF APPEAL

UNITED STATES OF AMERICA
Defendant.

Notice is hereby given that JOHN S. PANGELINAN, plaintiff in the above named civil case, hereby appeals to the United States Court of Appeals for the Ninth Circuit (at San Francisco, California) from the Order Denying First 28 U.S.C. § 2255 Motion As Moot, dated October 29, 2007, and filed with the District Court on October 29, 2007, and, further hereby appeals to the same court from the Order Dismissing Second 28 U.S.C. § 2255 Motion and Denying Certificate of Appealability, dated December 3, 2007, and filed with the District Court on December 3, 2007. This notice is timely filed pursuant to the FRAP Rules.

Plaintiff Pangelinan "was determined to be financially unable to obtain an adequate defense in a case" in U.S.A. v. Pangelinan, Criminal Action No. 06-00012, U.S. District Court for the Northern Mariana Islands (U.S.A. v. Pangelinan, Docket No. 07-10032, U.S. Court of Appeals for the Ninth Circuit -- Pangelinan's counsel has not been discharged yet notwithstanding appellate court Order on Judgment of October 11, 2007), pursuant to FRAP 24(a)(3)(A). Thus, Plaintiff

Pangelinan is not required to pay the required appeal, filing and docketing fees. See, Circuit Rule 3-1.

Pursuant to FRAP 4(e)(1) and Rule 3(d), Rules governing Section 2255 Proceedings For The United States District Courts, Plaintiff Pangelinan declares under penalty of perjury under 28 U.S.C. § 1746 that this notice is deposited in the FDC Seatac, Federal Detention Center, mailing system on this December 11, 2007, for mailing to the district court, first-class postage prepaid. Plaintiff Pangelinan's present incarceration is in the FDC Seatac, Seattle (Seatac), State of Washington.

Dated this 11th day of December, 2007.

J.M.P.
John S. Pangelinan, Plaintiff

John S. Pangelinan
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